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**U.S. District Court
District of Maine (Bangor)
CIVIL DOCKET FOR CASE #: 1:10-cv-00072-JAW**

WILD v. NATIONAL PARK SERVICE
Assigned to: JUDGE JOHN A. WOODCOCK, JR
Referred to: MAGISTRATE JUDGE MARGARET J.
KRAVCHUK
Cause: 05:552 Freedom of Information Act

Date Filed: 02/19/2010
Date Terminated: 01/31/2011
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

TIM WILD

represented by **JON HOLDER**
HOLDER & GROVER
P.O. BOX 920
77 MOUNT DESERT ST.
BAR HARBOR, ME 04609
(207)288-1220
Email: jon@holderandgrover.com
ATTORNEY TO BE NOTICED

V.

Defendant

NATIONAL PARK SERVICE

represented by **EVAN J. ROTH**
U.S. ATTORNEY'S OFFICE
DISTRICT OF MAINE
100 MIDDLE STREET PLAZA
PORTLAND, ME 04101
(207) 780-3257
Email: evan.roth@usdoj.gov
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|--------------------------|---|
| 02/19/2010 | <u>1</u> | COMPLAINT against NATIONAL PARK SERVICE IF FILING FEE IS BEING PAID WITH A CREDIT CARD, COUNSEL ARE INSTRUCTED TO IMMEDIATELY LOGIN TO CM/ECF AND DOCKET Case Opening Filing Fee Paid FOUND IN THE <i>Complaints and Other Initiating Documents</i> CATEGORY. IF FILING FEE IS BEING PAID WITH A CHECK, THE COURT REQUIRES RECEIPT OF PAYMENT WITHIN 48 HOURS OF THIS FILING. , filed by TIM WILD. (Service of Process Deadline 6/21/2010) (Attachments: # <u>1</u> Exhibit 1 to Complaint, # <u>2</u> Exhibit 2 to Complaint, # <u>3</u> Exhibit 3 to Complaint, # <u>4</u> Exhibit 4 to Complaint)(edc) (Entered: 02/19/2010) |
| 02/19/2010 | <u>2</u> | CIVIL COVER SHEET. (edc) (Entered: 02/19/2010) |
| 02/19/2010 | | Filing Fee Paid via Credit Card (Filing fee \$ 350 receipt number 0100-684607.), filed by TIM WILD.(HOLDER, JON) (Entered: 02/19/2010) |
| 02/19/2010 | <u>3</u> | Summons Issued as to NATIONAL PARK SERVICE. Counsel shall print the embossed summons and effect service in the manner in accordance with Fed.R.Civ.P.4. Note-If you are using Version 6 of Adobe Acrobat, be sure the PRINT WHAT field is set to DOCUMENTS AND COMMENTS (Click File, then Print to check this setting). (Attachments: # <u>1</u> Summons issued to Attorney General, # <u>2</u> Summons issued to U.S. Attorney)(edc) (Entered: 02/19/2010) |
| 03/11/2010 | <u>4</u> | Consent MOTION to Set Deadline to Answer Complaint by NATIONAL PARK SERVICE Responses due by 4/1/2010. (ROTH, EVAN) (Entered: 03/11/2010) |
| 03/12/2010 | <u>5</u> | ORDER granting without objection <u>4</u> Motion to set response deadline of April 19, 2010. By MAGISTRATE JUDGE MARGARET J. KRAVCHUK. (KRAVCHUK, MARGARET) (Entered: 03/12/2010) |
| 03/12/2010 | | Set Answer Deadline for NATIONAL PARK SERVICE per order number 5: Answer due by 4/19/2010. (jlg) (Entered: 03/12/2010) |
| 04/16/2010 | <u>6</u> | ANSWER to <u>1</u> Complaint,, by NATIONAL PARK SERVICE.(ROTH, EVAN) (Entered: 04/16/2010) |

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| 04/20/2010 | 7 | ***VACATED per order number 9*** SCHEDULING ORDER: Discovery due by 9/22/2010. Motions due by 10/13/2010. Ready for Trial on 1/4/2011. By MAGISTRATE JUDGE MARGARET J. KRAVCHUK. (CWP) Modified on 6/7/2010 to indicate order vacated (jlg). (Entered: 04/20/2010) |
| 06/04/2010 | 8 | Unopposed MOTION for Order <i>to set briefing schedule in lieu of Scheduling Order</i> by NATIONAL PARK SERVICE Responses due by 6/25/2010. (ROTH, EVAN) Modified on 6/7/2010 to clean-up docket text(jlg). (Entered: 06/04/2010) |
| 06/07/2010 | 9 | ORDER granting without objection 8 Motion for Order to set briefing schedule. The prior scheduling order is vacated. The government must file a motion for summary judgment together with a Vaughn index, as well as a copy of the withheld documents for in camera review by July 23, 2010; the Plaintiff's cross-motion for summary judgment and its response to government's motion is due August 20, 2010. NO FURTHER BRIEFING allowed, absent further leave of court. By MAGISTRATE JUDGE MARGARET J. KRAVCHUK. (KRAVCHUK, MARGARET) (Entered: 06/07/2010) |
| 06/07/2010 | | Set Deadlines per order number 9: Specific Document Deadline (1) due by 7/23/2010- Government's motion for summary judgment, Vaughn index and withheld documents for in camera review. Specific Document Deadline (2) due by 8/20/2010- Plaintiff's cross motion for summary judgment and response to Government's Motion. (jlg) (Entered: 06/07/2010) |
| 07/20/2010 | 10 | Consent MOTION to Extend Time for briefing and summary judgment motions by NATIONAL PARK SERVICE Responses due by 8/10/2010. (ROTH, EVAN) Modified on 7/21/2010 to clarify docket text (jgw). (Entered: 07/20/2010) |
| 07/21/2010 | 11 | ORDER granting without objection 10 Motion to Extend Time for briefing schedule as to both parties as requested. By MAGISTRATE JUDGE MARGARET J. KRAVCHUK. (KRAVCHUK, MARGARET) (Entered: 07/21/2010) |
| 07/21/2010 | | Reset Deadlines Regarding Order on Motion to Extend Time #11 : Specific Document Deadline (1) due by 8/6/2010- Government's motion for summary judgment, Vaughn index and withheld documents for in camera review. Specific Document Deadline (2) due by 9/3/2010- Plaintiff's cross motion for summary judgment and response to Government's Motion.(jgw) (Entered: 07/21/2010) |
| 08/05/2010 | 12 | Consent MOTION to Extend Time to File Briefs by NATIONAL PARK SERVICE Responses due by 8/26/2010. (ROTH, EVAN) (Entered: 08/05/2010) |
| 08/09/2010 | 13 | ORDER granting without objection 12 Motion to Extend Time to August 13 and September 10, 2010 for each side's brief. By MAGISTRATE JUDGE MARGARET J. KRAVCHUK. (KRAVCHUK, MARGARET) (Entered: 08/09/2010) |

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| 08/09/2010 | | Reset Deadlines Regarding Order on Motion to Extend Time. Specific Document Deadline (1) due by 8/13/2010- Government's motion for summary judgment, Vaughn index and withheld documents for in camera review. Specific Document Deadline (2) due by 9/10/2010- Plaintiff's cross motion for summary judgment and response to Government's Motion(jgw) (Entered: 08/09/2010) |
| 08/13/2010 | 14 | MOTION for Summary Judgment by NATIONAL PARK SERVICE Responses due by 9/3/2010. (ROTH, EVAN) (Entered: 08/13/2010) |
| 08/13/2010 | 15 | STATEMENT OF FACT by NATIONAL PARK SERVICE. (Attachments: # 1 Exhibit 1 - USDC Violation Notice, # 2 Exhibit 2 - 9/16/08 letter to Joel Casey, # 3 Exhibit 3 - 9/16/08 letter to Jon Holder, # 4 Exhibit 4 - 9/22/08 letter to Jon Holder, # 5 Exhibit 5 - 9/23/08 letter to Jon Holder, # 6 Exhibit 6 - Motion to Dismiss and Order, # 7 Exhibit 7 - Law Enforcement Reference Manual, # 8 Exhibit 8 - 7/9/09 letter to Jon Holder)(ROTH, EVAN) Modified on 8/16/2010 to describe exhibits (err). (Entered: 08/13/2010) |
| 08/13/2010 | 16 | AFFIDAVIT of John Mattox re 15 Statement of Fact filed by NATIONAL PARK SERVICE. (Attachments: # 1 Exhibit A - Internal Investigation Disposition , # 2 Exhibit B - Index)(ROTH, EVAN) Modified on 8/16/2010 to describe attachments (err). (Entered: 08/13/2010) |
| 08/13/2010 | | Reset Deadlines as to 14 MOTION for Summary Judgment per Order #13: Responses due by 9/10/2010.(jgw) (Entered: 08/16/2010) |
| 09/08/2010 | 17 | Consent MOTION to Extend Time To respond to Defendant's Motion for Summary Judgment from 9/10/10 to 9/17/10 by TIM WILD Responses due by 9/29/2010. (HOLDER, JON) (Entered: 09/08/2010) |
| 09/08/2010 | 18 | ORDER granting without objection 17 Motion to Extend Time until September 21, 2010. By MAGISTRATE JUDGE MARGARET J. KRAVCHUK. (KRAVCHUK, MARGARET) (Entered: 09/08/2010) |
| 09/09/2010 | | Reset Deadlines as to 14 MOTION for Summary Judgment Per Order #18: Responses due by 9/21/2010.(err) (Entered: 09/09/2010) |
| 09/21/2010 | 19 | MOTION for Summary Judgment <i>and Incorporated Memorandum of Law</i> by TIM WILD Responses due by 10/12/2010. (Attachments: # 1 Appendix President Obama's FOIA Memo., # 2 Appendix AG Holder's FOIA Memo., # 3 Appendix Declaration of Heather Sinclair with Bar Harbor Times Press Releases, # 4 Appendix Continued-Mount Desert Islander Press Releases, # 5 Appendix Continued-Bangor Daily News Press Releases, # 6 Appendix Declaration of Jon Holder with Ranger Supplemental Reports)(HOLDER, JON) Modified on 09/21/2010 to clean up text. (Entered: 09/21/2010) |

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| 09/21/2010 | 20 | RESPONSE to Statement of Fact <i>Pursuant to Rule 56(c)</i> filed by TIM WILD. (HOLDER, JON) (Entered: 09/21/2010) |
| 09/21/2010 | 21 | RESPONSE to Motion re 14 MOTION for Summary Judgment filed by TIM WILD. To view document, see pdf 19 . Reply due by 10/5/2010. (err) (Entered: 09/21/2010) |
| 12/15/2010 | 22 | NOTICE of Hearing on 14 MOTION for Summary Judgment and 19 MOTION for Summary Judgment. Oral argument set for 1/20/2011 at 11:00 AM in Main Courtroom, Bangor before JUDGE JOHN A. WOODCOCK JR. (MFS) (Entered: 12/15/2010) |
| 01/20/2011 | 23 | Minute Entry for proceedings held before JUDGE JOHN A. WOODCOCK, JR: Motion Hearing held re 19 MOTION for Summary Judgment filed by TIM WILD, 14 MOTION for Summary Judgment filed by NATIONAL PARK SERVICE. Any supplemental materials are to be filed by 5:00 p.m. on 1/21/11. (Court Reporter: Julie Edgecomb) (jgw) (Entered: 01/20/2011) |
| 01/21/2011 | 24 | MEMORANDUM by NATIONAL PARK SERVICE in support of 23 Motion Hearing, (ROTH, EVAN) Modified on 1/21/2011 to remove language(mjlt). (Entered: 01/21/2011) |
| 01/21/2011 | 25 | MEMORANDUM by TIM WILD in support of 23 Motion Hearing,. (Attachments: # 1 Exhibit Signed Release by Emma Holder)(HOLDER, JON) (Entered: 01/21/2011) |
| 01/26/2011 | 26 | NOTICE of Hearing: Telephone Conference set for 1/26/2011 at 11:00 AM before JUDGE JOHN A. WOODCOCK JR. The Government will initiate the call to counsel and Chambers.(MFS) (Entered: 01/26/2011) |
| 01/26/2011 | 27 | Minute Entry for proceedings held before JUDGE JOHN A. WOODCOCK, JR: Telephone Conference held. (Court Reporter: Julie Edgecomb) (MFS) (Entered: 01/26/2011) |
| 01/31/2011 | 28 | ORDER on Sealing By JUDGE JOHN A. WOODCOCK, JR. (jgw) (Entered: 01/31/2011) |

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| 01/31/2011 | 29 | ORDER on cross motions for summary judgment, ORDER GRANTING in part and DENYING in part the motion of Plaintiff Tim Wild (Docket #19), and ORDER GRANTING in part and DENYING in part the motion of Defendant National Park Service (Docket #14). Further details of the Order to remain under seal to maintain the status quo for sixty (60) days from the date of the Judgment, January 31, 2011, to allow the U.S. Department of Justice to determine, on behalf of the Defendant, what if any part of the Order will be subject to appeal. The Defendant is further ORDERED to inform the Court, on or before March 28, 2011, whether it consents to the partial unsealing of the Order and, if so, what parts of the Order may be unsealed without objection.(jgw) Modified on 2/17/2011 to add public language (jlg). Modified on 3/31/2011 to unseal order - no appeal filed (jgw). (Entered: 01/31/2011) |
| 01/31/2011 | 30 | JUDGMENT By Walentine, DEPUTY CLERK. (jgw) (Entered: 01/31/2011) |
| 02/08/2011 | 31 | MOTION to Extend Seal Order on Docket #28 by NATIONAL PARK SERVICE Responses due by 3/1/2011. (ROTH, EVAN) (Entered: 02/08/2011) |
| 02/09/2011 | 32 | Order on 31 Motion to Extend Order to Seal. (jlg) Modified on 6/8/2011 to unseal (jlg). (Entered: 02/10/2011) |
| 02/11/2011 | 33 | MOTION for Attorney Fees by TIM WILD Responses due by 3/4/2011. (Attachments: # 1 Exhibit Declaration of Jon Holder, # 2 Exhibit Hours of Jon Holder, # 3 Exhibit Laffey Matrix)(HOLDER, JON) (Entered: 02/11/2011) |
| 02/17/2011 | 34 | Proposed Public Docket 29 Entry by NATIONAL PARK SERVICE. (ROTH, EVAN) Modified to unseal on 4/12/2011 (edc). (Entered: 02/17/2011) |
| 03/04/2011 | 35 | MOTION WITHDRAWN re: 33 Motion for Attorney Fees filed by NATIONAL PARK SERVICE (ROTH, EVAN) Modified on 3/4/2011 to change event from Notice/Other Correspondence to Motion Withdrawn (mnw). (Entered: 03/04/2011) |
| 03/09/2011 | 36 | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Hearing on Motion for Summary Judgment held on January 20, 2011 before Judge John A. Woodcock, Jr. Court Reporter/Transcriber: Julie G. Edgecomb, Telephone Number: (207) 945-5856. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.med.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Release of Transcript Restriction set for 6/7/2011. (EDGECOMB, JULIE) (Entered: 03/09/2011) |
| 03/09/2011 | 37 | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings Telephone Conference held on January 26, 2011 before Judge John A. Woodcock, Jr. Court |

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| | | Reporter/Transcriber: Julie G. Edgecomb, Telephone Number: (207) 945-5856. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.med.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Release of Transcript Restriction set for 6/7/2011. (EDGECOMB, JULIE) (Entered: 03/09/2011) |
| 03/30/2011 | 38 | NOTICE of Hearing: Telephone Conference set for 3/31/2011 10:00 AM before JUDGE JOHN A. WOODCOCK JR. Attorney Roth to initiate the call to chambers and counsel. (jgw) (Entered: 03/30/2011) |
| 03/31/2011 | 39 | Minute Entry for proceedings held before JUDGE JOHN A. WOODCOCK, JR: Telephone Conference held. Government indicated no appeal would be filed with respect to the Courts Order on Cross Motions for Summary Judgment. (Court Reporter: Julie Edgecomb) (jgw) (Entered: 03/31/2011) |
| 03/31/2011 | 40 | ORDER re: scope of redactions of Order on Motions for Summary Judgment By JUDGE JOHN A. WOODCOCK, JR. (jgw) (Entered: 03/31/2011) |

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